

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE

TIMMY HERNDON,

Plaintiff,

VS.

SHELBY COUNTY, et al.,

Defendants.

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No. 12-2087-JDT-cgc

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ORDER ADOPTING REPORT AND RECOMMENDATION  
OF MAGISTRATE JUDGE

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On September 11, 2013, Magistrate Judge Charmiane G. Claxton issued a report and recommendation on Defendants' motion for summary judgment and Plaintiff's motion to withdraw his complaint with prejudice [DE# 47]. Magistrate Judge Claxton recommended that Defendants' motion [DE# 42] be denied as moot and that Plaintiff's motion [DE# 45] be construed as a motion to voluntarily dismiss the complaint with prejudice and granted.

No objections have been filed by either party. Therefore, Magistrate Judge Claxton's report and recommendation is ADOPTED in its entirety, and this matter is hereby DISMISSED with prejudice. The clerk is directed to enter judgment accordingly.

IT IS SO ORDERED.

s/ James D. Todd

JAMES D. TODD

UNITED STATES DISTRICT JUDGE